

LAP13 Rec'd PCT/PTO 08 FEB 2007

IN THE UNITED STATES RECEIVING OFFICE (US/DO/EO)

Applicants: David J. Smith and Michael C. Andrews

U.S. Application No.: 10/561,209

U.S. National Stage of:

International Application No.: PCT/US04/19187

International Filing Date: June 16, 2004

For: PROCESS FOR REDUCING SURFACE
ABERRATIONS

DATE: 2/8/07

EXPRESS MAIL LABEL NO. EV 214910996 US

REPLY TO NOTIFICATION OF MISSING REQUIREMENTS

Mail Stop PCT (DO/EO)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Notification of Missing Requirements (Form PCT/DO/EO/905) dated October 23, 2006, the following documents and fees are being submitted for filing in the captioned application:

- ☒ **EXECUTED DECLARATION FOR PATENT APPLICATION** - A copy of the Notification is attached.
(Separate transmittal letter and postcard not required)
- ☒ **POWER OF ATTORNEY DOCUMENT**
☐ GRANTED BY INVENTOR(S)
☒ GRANTED BY ASSIGNEE, including Statement under 37 CFR § 3.73(b)
(Separate transmittal letter and postcard not required)
- ☒ **SURCHARGE** - A surcharge as provided by 37 CFR § 1.16(e) in the amount of \$130 is included in the enclosed check.
(Separate transmittal letter and postcard not required)
- ☐ **SEQUENCE LISTING** - Filed concurrently and is attached.
(Separate transmittal letter and postcard required)

☒ PETITION FOR EXTENSION OF TIME

☒ Applicant hereby petitions to extend the time to respond to the Notification of Missing Requirements dated October 23, 2006, for two month(s) from December 23, 2006 to February 23, 2007. The appropriate fee of \$450 is included in the enclosed check.

☐ A [] month extension of time to respond to the Notification of Missing Requirements dated [] was filed on [] with payment of a \$[] fee.

☐ Applicant hereby petitions for an additional [] month extension of time to respond to the Notification of Missing Requirements. The appropriate fee of \$[] is included in the enclosed check.

(Separate Petition for Extension of Time and postcard not required)

☐ **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached.

(Separate transmittal letter and postcard required)

☐ **SMALL ENTITY STATEMENT**

☐ Was filed on [].

☐ Is enclosed herewith.

(Separate transmittal letter and postcard not required)

☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[] which were paid on [] to be deposited in Deposit Account No. 08-0380.

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$580. Authorization is hereby granted to charge any additional fees due to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

02/13/2007 MKAYPAGH 00000103 10561209

01 FC:1252 450.00 OP

02/13/2007 MKAYPAGH 00000103 10561209

02 FC:1617 130.00 OP

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By

Colin C. Durham

Registration No. 52,843

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated:

2/8/2007



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/561,209 | David J Smith | 3455.1000-005 |

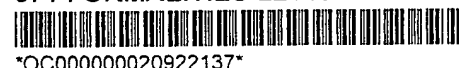
| INTERNATIONAL APPLICATION NO. |
|-------------------------------|
| PCT/US04/19187 |

| I.A. FILING DATE | PRIORITY DATE |
|------------------|---------------|
| 06/16/2004 | 06/20/2003 |

21005
 HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
 530 VIRGINIA ROAD
 P.O. BOX 9133
 CONCORD, MA 01742-9133

CONFIRMATION NO. 4037

371 FORMALITIES LETTER



OC000000020922137

Date Mailed: 10/23/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/14/2005
- Copy of the International Search Report filed on 12/14/2005
- Copy of Annexes to the IPER filed on 12/14/2005
- Preliminary Amendments filed on 12/14/2005
- Information Disclosure Statements filed on 12/14/2005
- U.S. Basic National Fees filed on 12/14/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

RECEIVED

OCT 26 2006

HAMILTON, BROOK
 SMITH & REYNOLDS, P.C.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/561,209 | PCT/US04/19187 | 3455.1000-005 |

FORM PCT/DO/EO/905 (371 Formalities Notice)